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12
13 **UNITED STATES DISTRICT COURT**
14
15 **EASTERN DISTRICT OF CALIFORNIA**

16 Dorcas-Cothy Kabasele, Katia Arrellano, Angel
Gonzalez, Mindy Miranda, Saryna De Jesus,
17 Tatiana Brenal, Flor Cruz, Julissa Perez, Elissa
Padilla, Ian Lamar, Claudia Benitez, Brittney
Hughes, George Maddox, Victoria Henkes,
18 Alexxandra Tan, Danielle Quaid, Jerrica Labian,
Ryan Guffey, Kiersten Wong, Brittani Herena,
Janet Sanchez, Brittany Sommers, Cheyenne
19 Lopez, Talia Casteneda, Nohely Llamas, Rhonda
Prickett, Debbie Harrison,

20 Case No. 2:21-cv-01639-WBS-CKD

21 **NOTICE OF MOTION AND UNOPPOSED
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

22 Date: February 5, 2024

Time: 1:30 p.m.

Dept.: Courtrooms 5, 14th Floor

Judge: Hon. William B. Shubb

Complaint Filed: September 10, 2021

FAC Filed: September 29, 2021

SAC Filed: November 23, 2022

TAC Filed: February 15, 2022

Trial Date: None Set

23 Plaintiffs,
vs.
24
25 **ULTA SALON, COSMETICS & FRAGRANCE,
INC., a Delaware corporation and DOES 1 – 100,
inclusive,**

26 Defendants.

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on February 5, 2024 at 1:30 a.m., thereafter as the matter may be
3 heard, in Courtroom 5 of the United States District Court for the Eastern District of California before
4 the Honorable Judge William B. Shubb, pursuant to Fed. R. Civ. P. 23(e), Plaintiffs Dorcas-Cothy
5 Kabasele, Katia Arrellano, Angel Gonzalez, Mindy Miranda, Saryna De Jesus, Tatiana Brenal, Flor
6 Cruz, Julissa Perez, Elissa Padilla, Ian Lamar, Claudia Benitez, Brittney Hughes, George Maddox,
7 Victoria Henkes, Alexxandra Tan, Danielle Quaid, Jerrica Labian, Ryan Guffey, Kiersten Wong,
8 Brittani Herena, Janet Sanchez, Brittany Sommers, Cheyenne Lopez, Talia Casteneda, Nohely
9 Llamas, Rhonda Prickett, Debbie Harrison, (collectively “Plaintiffs”), individually and on behalf of
10 all others similarly situated, will and do hereby move this Court for entry of an Order:

- 11 1. Approving the class action settlement between Plaintiffs and Defendant, ULTA Salon,
12 Cosmetics & Fragrance, Inc. as fair, adequate, and reasonable, based upon the terms set
13 forth in the Parties’ Class and Representative Action Settlement Agreement and Release,
14 including payment by Defendant of the Gross Settlement Amount of \$1,500,000 for the
15 settlement “Class”;
- 16 2. Appointing Plaintiffs as Class Representatives for purposes of settlement;
- 17 3. Appointing Mayall Hurley, P.C., SW Employment Law Group, APC, and Lavi &
18 Ebrahimian, LLP as Class Counsel for purposes of settlement;
- 19 4. Approving Simpluris, Inc. as the third-party Settlement Administrator for mailing notices
20 and for Settlement Administration, and approving expenses estimated at \$65,000;
- 21 5. Approving an Incentive Award of \$5,000 for lead Plaintiffs, Dorcas-Cothy Kabasele, Katia
22 Arellano, Angel Gonzalez and \$500 for each remaining Plaintiff (for a combined amount
23 of \$27,000);
- 24 6. Approving Plaintiffs’ Counsels’ request for up to 33.33% of the GSA as attorneys’ fees (or
25 \$500,000) and actual litigation costs of not more than \$20,000;
- 26 7. Approving the PAGA penalty payment of \$50,000 of which 75% (or \$38,000)
27 shall be paid to the LWDA, and the remaining 25% (or \$12,000), shall be included in the
28 Net Settlement Amount distribution to the Class;

1 This motion is based upon the supporting Memorandum of Points and Authorities, the
2 declarations of Robert J. Wassermann, Esq., Shawn Sasooness, Esq., Antonia McKee, Esq., the
3 declarations of the Class Representatives, the declaration of the Settlement Administrator, the
4 Settlement Agreement, all other papers and exhibits filed herewith and in the Court's record in this
5 matter, and such oral and documentary evidence as may be presented at or before the hearing on this
6 matter.

Respectfully submitted,

Mayall Hurley, PC
SW Employment Law Group, APC
Lavi & Ebrahimian LLP

Dated: January 8, 2024

By: /s/ Robert J. Wassermann
Robert J. Wasserman, Esq.
Attorneys for Plaintiffs